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Civil Rights Issue

The Southern PATRIOT

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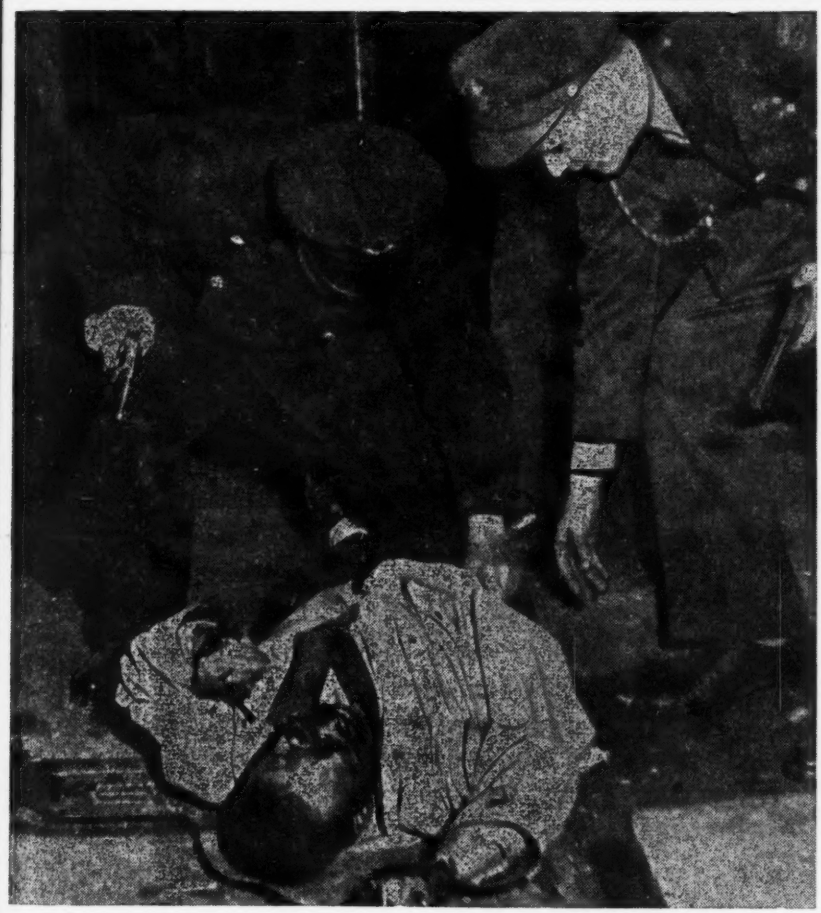


The pictures on this page are a solemn warning to America. Here is the work of a new kind of mob, a mob in uniform.

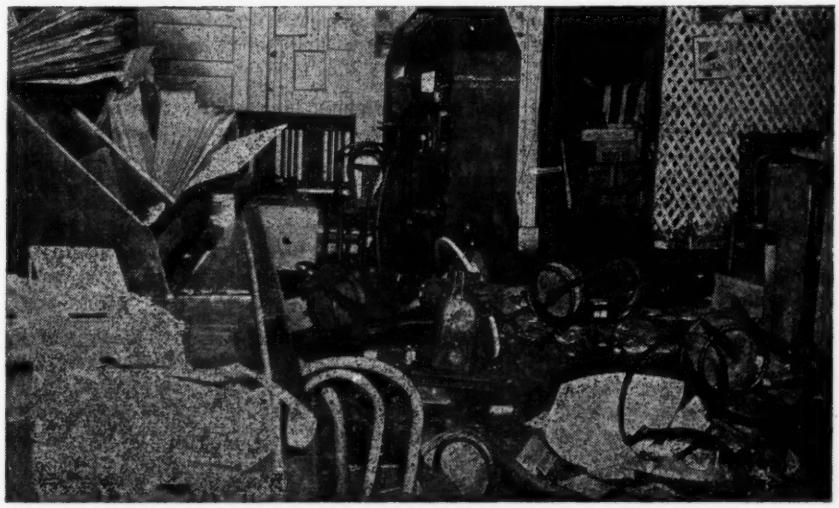
These pictures show a small part of the beatings and the wanton destruction of property committed by the State Highway Patrol in Columbia, Tennessee, in the early morning of February 26. This is what happened when officers sworn to enforce the law took revenge on both the people and property of a Negro community because its members had courageously defended themselves against a lynch mob and prevented a lynching.

This is not law enforcement. This is storm-trooperism, an early symptom of the disease of the social order which is called fascism. Fascism attacks minorities first but, in the end, deprives all the people of their liberty.

That is why what took place in Columbia is our business and your business. That is why we must expose what was begun there so the conscience and will of America can bring it to a halt, before it spreads and gains strength.

Civil rights is also a bread and butter question in the South. Attacks on civil rights are a danger first of all to the unions and therefore to the wage and living standards which inevitably fall when unions are weakened. Such attacks are frequently supported or even initiated by reactionary anti-union employers, who understand this point very well.

This issue of the SOUTHERN PATRIOT attempts to provide as much useful information as space will permit to help Southerners combat the current attacks on civil rights which Klan-minded elements are promoting in our region.



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AMENDMENT I

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercises thereof; or abridging the freedom of speech or of the press: or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

AMENDMENT IV

"The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, particularly describing the place to be searched, and the persons to be seized."

AMENDMENT XIV

"All persons born or naturalized in the United States are citizens of the United States and of the State wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States, nor shall any state deprive any person of life, liberty or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws."

AMENDMENT XV

"The right of the citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color or previous condition of servitude."

Violated in Practice

"Freedom of speech and freedom of assembly" guarantee labor's right to organize. Yet Southern "law enforcement" officers have a long history of breaking up union meetings, running labor organizers out of town, attacking picket lines with force and violence, arresting union leaders on framed-up charges, denying permits for union gatherings. (See examples on page 4.)

It is the common practice of Southern police to make the arrest or search first and get a warrant afterwards. In Columbia, Tennessee, for example, every Negro home was searched, and over 100 people arrested without the issuance of a single warrant.

"Equal protection of the laws" should mean just that. But in the courts, in the schools, in public health facilities, Negro citizens are denied "equal protection." Mississippi appropriates ten times as much money for its white public schools as for its Negro public schools. All-white juries, grand juries, judges and court machinery make a mockery of "equal protection of the laws."

White primaries, registration restrictions and poll taxes keep millions of Negroes, and far more whites from exercising the "right to vote' guaranteed in the Fifteenth Amendment. (See example on page 5.)

Have You Elected Your Delegates to the Congress on Civil Rights?

The pressing need for united effort in defense of civil rights should be clear from this issue. To formulate a coordinated program for the defense of democracy in postwar America, is the purpose of the Congress on Civil Rights, meeting in Detroit, April 27 and 28.

Representatives from civil rights, labor, religious, interracial organizations and individuals are invited to attend this Congress, called to "organize an offensive against the rising fascist aggression in the United States."

Among the initiating committee of the Congress are the Presidents of the Southern Conference for Human Welfare, the National Federation for Constitutional Liberties, the National Farmers Union, the International Labor Defense and the National Citizens Political Action Committee; Mrs. Mary McLeod Bethune, Johannes Steel, Dr. Benjamin Mays, Norman Corwin, labor leaders from the CIO and AF of L and many other prominent citizens.

The Conference will be concerned with the protection of labor's rights, veterans rights, equal justice and the right to vote. Two delegates are invited from each interested organization. All groups wishing to send representatives may secure calls and further information from the Congress on Civil Rights, 205 East 42 Street, New York 17, or the Southern Conference for Human Welfare, 212½ Union Street, Nashville, Tennessee.

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THE SOUTHERN CONFERENCE FOR HUMAN WELFARE

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Executive Secretary and Editor

Our Democratic Rights—and How to Enforce Them

Many of the aims on which Southern progressives spend years of effort were achieved on paper before we were born. The Constitution of the United States contains sweeping and immensely valuable guarantees of the rights of the people. Unfortunately, the Constitution does not enforce itself. The enforcing must be done by people.

Therefore the Constitution benefits the people to the extent that they know their rights under it and organize to demand them.

What Are Our Constitutional Rights?

The Constitutional rights of the people are too many and too complicated to be stated here. We can only summarize a few of the most important.

There is nothing said in the Constitution about the rights of labor, as such. The rights of labor are specific applications of the general rights of the people. For instance, the right to organize and to bargain collectively are included in the general term "liberty," protected by the 5th and 14th Amendments. In recent years, the right to strike has been increasingly recognized as coming under the same heading, though it cost labor many bitter struggles to gain this recognition. The right to take the union message to others and to solicit them to join is clearly a part of "freedom of speech," which comes under the 1st Amendment. "The right of the people peaceably to assemble" includes the right to picket and "freedom of the press" includes, among many other things, the right to carry picket signs.

From the standpoint of minorities, racial or otherwise, "the equal protection of the laws" is of the first importance. This clause is found in the 14th Amendment. For instance, for a Negro to be indicted by a jury from which persons of his race have been systematically excluded is clearly a denial of the equal protection of the laws and has been so declared repeatedly by the U. S. Supreme Court. But the court decisions on this point continue to be violated in many parts of the South, especially in rural counties. An extreme example is the current Columbia case, where the indictments were returned by an all-white grand jury, though the issues were such that obviously only a mixed jury could hope to consider them impartially.

An extremely important new aspect of "equal protection of the laws" has been opened by the recent line of test cases holding racial discrimination in the salaries of public school teachers unconstitutional. This raises the whole question of the equitable distribution to all groups in the population of the benefits from the expenditure of public funds, which are raised by taxing all groups in the population. This matter must be further explored by other test cases, extending the principle and applying it in other fields of government activity, such as public health, public works, etc.

The most consistent and habitual violators of the Constitution in the South are the very men who are, theoretically at least, employed to uphold it: the police. It would not be an exaggeration to say that most Southern police departments operate as though they had never heard of the Constitution or else held it in complete and open contempt. For example, the police customarily make both arrests and searches entirely at their own pleasure (except when the victim is a man of means who might retaliate). The warrant is filled out later as a routine and meaningless procedure for completing the record. This method of work is no doubt very convenient for the police and saves them time and effort. However, the method was also convenient for the police in 1791, when our forefathers decided it was dangerous to liberty and adopted the 4th Amendment to prohibit it. Another favorite, and illegal, police practice is to hold prisoners for several days without fixing bail, though the offenses of which they are suspected are bailable offenses. This abuse can be corrected by habeas corpus if the victim happens to have a carrier pigeon handy with which to get a message to his lawyer. The right of an accused person to counsel at the preliminary investigation, as well as at the trial, is one the police almost always conveniently ignore. The provision of the 5th Amendment that "no person shall be compelled in any criminal case to be a witness against himself" is violated by means running all the way from ordinary bullying of suspects to confessions forced with the rubber hose and other third degree tortures.

Politically, the vote is both the first right and the first duty of citizenship, but the courts have consistently refused to recognize it as such. However, denial of the right to vote on account of race is expressly prohibited by the 15th Amendment. Many Southern election officials, who might otherwise be mistaken for men of honor, take a solemn oath to uphold the Constitution and then employ their powers of office to evade the 15th Amendment. Logically, the poll tax is a violation of the 14th Amendment provision for "equal protection of the laws" since it results in giving the vote to one economic class and denying it to another. But, on this point, the courts have closed their eyes to reality and thus made it necessary to restore democracy by passing the federal anti-poll tax bill. Finally, though the Constitution does not say that all citizens must be given the vote, it does say that any state which denies the ballot to a part of its population shall have its representation in Congress proportionately reduced. (14th Amendment, Sec. 2). If Congress would enforce this clause, as is its duty under the Constitution, the states themselves would be likely to take rapid action to restore the vote to their disfranchised citizens.

How Can Our Rights be Enforced

There are several different ways to enforce the Constitution. One way that can be very effective is for Congress to pass laws making persons who violate the constitutional rights of others subject to prosecution in the federal courts. We have a few such laws now on the federal statute books. These laws in turn have to be enforced and are often thwarted by U. S. Attorneys who refuse to prosecute and federal grand juries who refuse to indict. But these laws can still be a great protection to the people if there is a constant, alert and determined demand for their enforcement. This is especially true now that the U. S. Supreme Court in the Screws case (1944) has given the civil rights statutes a new, broader and more realistic interpretation.

The surface of this method of protecting civil rights has scarcely been scratched. There is a great need for a whole series of federal laws prohibiting specific practices by which the Constitution is violated or evaded and subjecting the offenders to criminal penalties.

To lawyers, the most familiar and natural way of enforcing constitutional rights is by civil suits in the courts. However, this method is very expensive for the individual concerned. For that reason, as a practical matter, it is usually not available to the very persons who have the most need of it. This method is most useful to the people in the form of carefully planned and selected test cases, financed and carried through by unions and other organizations in which the people can pool their joint efforts.

The most valuable method of enforcing the Constitution, because it is the only method which is always available to all the people, is organized pressure. This method is also the most important because the effectiveness of court actions, whether criminal or civil, depends largely on how much they are backed by an aroused public opinion.

The Rights of Labor

Labor's right to organize has not been easily won in the South. Every Southern union member can recite stories of the bitter fight against union organization—by thugs and policemen, by judges and politicians, and by newspapermen: stories of union organizers spied upon, beaten, arrested, run out of town. These stories are documented in volume after volume of reports of the LaFollette committee investigating violations of civil rights. Labor's constitutional right to organize has meant little on paper, unless backed up by strong and militant unions.

During the war, labor in the South gained strength. Thousands from the South's rural areas and thousands of women joined the industrial army in the new war plants. Many of these new workers joined trade unions and were able to win new gains for Southern labor. Wage rates were higher than ever before, bringing new purchasing power and a higher standard of living for the whole South, not just the workers, pointing the way to a new South.

Since the end of the war, Southern employers and their Wall Street masters are trying to destroy these hard won wartime gains. They are trying to push wages back to 40c an hour. They are trying to break up the unions, which made these gains possible.

In this effort, Southern industrialists are putting all their stooges to work: in Congress, in the state legislature, on judge's benches and in Southern police forces, and though their fronts, new and old: the Southern States Industrial Council, the Ku Klux Klan, the Christian Americans, the Fight for Free Enterprise, to name just a few.

The Fight in Congress

In Congress, the fight for 40c wages took form in the introduction of several bills to restrict union rights. One of the most vicious of these was introduced by Rep. Hobbs of Alabama, and all were supported, almost unanimously, by the Southern bloc. The Hobbs bill, for example, received only five opposition votes from the South.

Despite the frantic efforts of anti-labor forces, to date labor has prevented the final passage of any of these bills. At least five dangerous measures, however, are pending, and several have passed the House of Representatives.

The most abusive of labor's civil rights is the Case Bill, which severely limits the right to strike by imposing cooling off periods, compulsory arbitration, and heavy fines and severe jail sentences for strikers and strike sympathizers. It prohibits labor from trying to secure public support for their strikes. It deprives workers of the protection of the Wagner Act.

The Case Bill was supported by 105 Southern Democrats, opposed by only 13. It has been stopped in the Senate, where a supposed "stingless" substitute is being considered, but no bill restricting the right to strike in any way can be "stingless."

Also passed by the House and pending in the Senate are the Hobbs Bill and anti-Petrillo Bill—presumably directed against "labor racketeers." But as Rep. Luther Patrick of Alabama warned, in voting against the Bill:

> **"There is no telling what a judge will decide. Nobody knows that better than do the laborers of this country. The representatives of labor know how unfair judges, how unfair biased district attorneys, can be."**

Other measures curtailing labor's rights which may be called up at any time are the May-Arends Bill, once prevented by vote from coming to the floor, and President Truman's proposal for compulsory fact-finding Boards.

Attack on the Picket Lines

But Congress is only one front on which labor must defend itself. Attacks come from other sources as well.

In Little Rock, Arkansas, for example, the employers have long been preparing for a showdown. In 1943, with the aid of their tool, the "Christian Americans" (neither Christian nor American), they forced through the state legislature the "anti-violence act," in which violence on a picket line is punishable by a term in the penitentiary. That may sound innocent to those who know little about Arkansas courts. Here's how it acts:

Workers at the Southern Cotton Oil Company, a subsidiary of Wesson Oil, were making 50c an hour, and working a 12-hour day with no overtime. They decided to strike.

Two strikers, a block away from the picket line, were approached by five strikebreakers, steered to a spot where two company men might watch the approaching incident, and set upon. One of the strikers was murdered, the other attacked, so that he might not see what happened. That night, police rounded up the striker attacked, plus four union leaders on the picketline, and indicted them under the Anti-Violence Law. But the murderer, self-confessed, was not indicted.

That's the way laws are enforced against union men in the South. It is not an isolated picture.

In Charleston, S. C., police have attacked the picket line of the American Tobacco Company strikers.

In Alexander City, Alabama, a textile worker organizer was beaten in daylight, on the city streets. To date, no action has been taken by the "law enforcement" officers.

Involuntary Servitude

The methods used in the attempt to crush labor are not always so open and direct and simple.

In Virginia, when workers at the Virginia Electric Power Company planned a strike (later called off), Governor William Tuck of the Byrd machine, drafted the power workers into the State militia and planned, in case of the strike, to order them to man the generators. Had they refused, they would have faced courts martial.

The issues in this threatened AFL strike were wages—and it serves to illustrate the offensive of the employers to take the South's workers back to their lowpaid, prewar standards—as well as the intimate tieup between the employers and government officials.

The defense of labor against this attack is in the interests of the whole South and the nation. The attack on labor's rights is only a prelude to undermining the democratic rights of the entire population. The program of the fascist-like organizations now at work in the South prove the point.

The Arkansas Free Enterprise Association, Inc., for example, in large advertisements in the Arkansas papers begins by urging "vigorous prosecution" of the framed-up Little Rock strikers mentioned above, supports the Case anti-strike bill, and goes on to oppose the 65c Minimum Wage law, which would raise the living standards of all the Southern people.

Such organizations are hard at work in the South today, to undermine the democracy we have been fighting around the world to protect. As labor begins new organizing campaigns, these fascistic groups will be especially active.

To labor's defense must come all liberty-loving Americans. The right of labor to organize and strike must be protected by all the people of the South in their own interest.

The Right to Vote

There's a new world in the making in the South, a new democratic world. The United States Supreme Court, in its decision on the Lonnie Smith Texas case in June 1944, ruled that Negroes could not be barred from party primaries. And today, throughout the South, by the thousands, and for the first time in some states since the 1870's, the Negroes are casting their ballots.

The Negro voters bring decisive strength to the progressive forces in the South. In Georgia, their votes have already helped elect Mrs. Mankin to the U. S. Congress to succeed Representative Ramspeck. She had the support of state labor groups, the Georgia League of Women Voters, and all advocates of honest government. Yet she ran second in the race until the last minute, when figures from an all-Negro precinct secured her election.

In Texas, approximately 275,000 Negroes registered for the coming primaries. About 250,000 of them are new voters brought in by the wide educational campaigns of such organizations as the Young Democrats in Dallas, the CIO and the NAACP.

Negroes in large numbers are registering in Georgia, in South Carolina, in Tennessee. The Alabama and Florida state democratic committees have, with scarcely a dissenting vote, "permitted" Negroes to join in the primaries.

There's a new democratic world in the making. But not without a real battle. For many years, taking advantage of the South's one party system, a few little men have been used to running things in their own way. They have disfranchised the working people and built their corrupt machines on a small, controllable vote. These few little men are fighting the new democracy.

From The Afro-American

They still control the machines, the legislatures, the polling places. They are trying to wipe out the effects of the Texas decision.

In Georgia, they omitted mention of the primaries from the new state constitution, but the federal court, in its ruling on the Primus King case, stated that primaries, being one of the facts of life of the Southern one-party system, were covered by the Texas decision whether they were mentioned or unmentioned. The U. S. Supreme Court has upheld this decision.

In Alabama, the politicians are relying on passage of the Boswell amendment to the state constitution. The Boswell amendment, to be voted on next November, would limit the vote to those able to interpret the U. S. Constitution to the satisfaction of their local registration boards. Boards controlled by political machines could thus disfranchise as their fancy (or privilege) dictated. And thus this amendment, ostensibly aimed at Negro voters (as the poll tax too was ostensibly aimed) could also be used against the white voters.

An effort on the national plane to obliterate Negro voting is seen in the formal campaign announcement of Ross of Tennessee for the U. S. Senate. Ross advocated elimination of the 15th Amendment from the U. S. Constitution.

Perhaps most deadly of all is the day by day, precinct by precinct sniping against democracy carried on (often without any legal pretense) throughout the South, to keep people from knowing their rights and from getting them.

In general, Southern ruling politicians, confident of their own power, consider laws permitting Negroes to vote in primaries as mere "strategic withdrawals." Said Chairman McCorvey of the Alabama State Democratic Executive Committee: "But white folks will run the state laws like they always have—and always will."

Such complacency must be answered by a steady educational program among the Negro people and by legal action whenever their just rights are denied them. Efforts to limit the franchise in any way must be fought by whites and Negroes both—for a small vote is a bad vote, a controllable vote.

In Birmingham, a hundred Negro veterans marched to the court house to register. They were not allowed to do so. They have not let their protest be stillborn. In late February, 21 of them filed suits against the County Board of Registrars in the Circuit Court. These twenty-one men, in fighting for their rights, are fighting for true democracy for millions of Southerners.

Abolish the Poll Tax!

The right of the people to vote is the most basic of all their rights.

Yet in the South today only a small minority of the potential voters cast their ballots largely because the poor people—Negro and white alike—cannot afford to vote. The poll tax is still law in seven Southern states.

State action to repeal the poll tax has come to nothing at all, except in Georgia, because the poll tax laws are imbedded in the state constitutions, almost impossible to amend.

H. R. 7, the bill to abolish the poll tax as a prerequisite to voting in federal elections, is the only practical means of freeing the ballot. That is why the bill has not been permitted to come before the United States Senate. Polltax Senators, in league with reactionary Northerners, have been able up to now to keep the bill pigeon-holed. Months have already passed. The summer recess for the Senate is in sight.

Need for immediate direct pressure on Washington to force consideration of the bill mounts with every day that goes by.

An all-out drive to bring the bill up has been launched. In the lead is Senator Claude Pepper of Florida. He pledged his efforts to a conference called by the National Committee to Abolish the Poll Tax in Washington on March 26th.

The bill, when it does come up in the Senate, will face the same bitter filibustering that just defeated the FEPC.

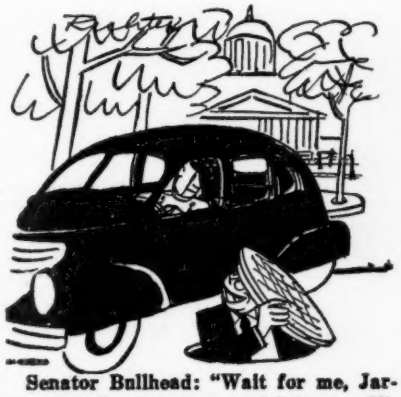
Protests from their constituents are the only way to keep Southern Senators from talking the bill to death.

Letters, postcards, wires, delegations must pour in on Washington.

Poll tax Senators must learn that they are blocking the will of those they pretend to represent.

The rest of the nation must learn for how small a segment of the South the filibusterers speak.

SENATOR BULLHEAD



Senator Bullhead: "Wait for me, Jarvis. I'm digging up material for my filibuster."

The Negro Veteran Comes Home

After four years military service, Pfc St. Clair Pressley, Negro, came home to South Carolina. He had scarcely stepped off the train when he was arrested. A policeman marched him off down the street, and, although he walked quietly, shot him down dead.

Negro veteran Moses Green was on his farm near Ellenton, South Carolina, with his wife, when he was shot down by two deputy sheriffs. There were no subsequent legal formalities, as there had been no legal preliminaries.

In Alabama, a police officer followed Negro veteran Ed Day Gary to his car, and ordered him out. Gary was obeying when he was shot. His eye had to be removed, at the Veterans' Hospital, at Tuskegee.

Another Negro veteran, Sam McFadden, was lynched by three men, one a local police officer, in Suwanee County, Florida.

In Bessemer, Alabama, Timothy Hood, a Negro ex-Marine, moved a segregation sign forward in a half empty street car in order to get a seat. The motorman shot Hood three times. Wounded, handcuffed, already in a police car, Hood was shot through the back of his head by the Brighton chief of police.

Is sudden deadly violence, without even any pretense of law, what returning Negroes come home to after ETO and the islands of the Pacific? Such welcome for them is of concern not only to them, but for all the South, and for reasons that are not solely humanitarian. For the South cannot afford to allow a repetition of the events that followed the First World War, when large scale riots swept through her great cities.

In general, despite statements of good intentions, the policy of the Veterans Administration toward Negroes has meekly followed the worst existent patterns of discrimination.

Seventeen veterans hospitals in the United States do not admit colored wounded at all. Fifteen out of the 17 are in the South. In contrast to 15 all white hospitals, there is only one all-Negro hospital, that at Tuskegee.

General Bradley admits that "local custom" determines this policy. "In general," he wrote, "our hospitilization policy is based on the provision in the Constitution of the United States that there shall be no discrimination because of race, color or creed. It has been found necessary to deviate from this policy in many communities where its enforcement would cause conflict."

This might be described as enforcing the Constitution—except where it is needed.

Educational opportunities, especially for vocational training, under the GI Bill of Rights are being blocked for Negroes. Full use of the bill's educational provisions would increase the Negro collegiate population by 20 to 25%.

GI loans to start businesses are being denied to Negroes. Southern bankers refuse to lend money, even with a Government guarantee. One Negro had learned shoe repairing in the army. He was refused a loan to open his own shoe repair shop by a small-town banker. The banker's cousin ran the only repair shop in town.

Negroes and whites alike suffer from the Veterans Administration decision that sharecroppers are employed, not self-employed, and are hence not eligible for readjustment allowances.

The Veterans' Administration has a public policy of non-discrimination in hiring personnel. In practice, Negroes in Washington and in the North are hired for only such unimportant positions as those of file clerks. South of Washington, they are not even placed in clerical positions.

At the USES, in Birmingham, which has no Negroes on its staff, a Negro veteran with two masters' degrees, who had taught aviation mechanics and meteorology, was offered a job as a janitor.

Negro veterans are generally denied membership in organizations such as the American Legion, the Veterans of Foreign Wars, and the Disabled American Veterans. In some states, they are permitted a sort of class B membership. Alabama had over 86,000 Negroes in the armed services, but in the whole state there is only one American Legion Post open to Negroes, that at Tuskegee, with less than 400 members.

Because they were not allowed to join veterans organizations after the First World War, thousands of Negroes never received the bonuses due them.

Denial of membership to Negroes weakens the veterans organizations, by splitting white veterans away from their former comrades in arms. Wherever discrimination operates, all the South suffers—when Negroes are kept poor, the South is the poorer. Where education is limited, the South is kept the more ignorant. Where technical training is denied, the great industrial resources of the South are kept undeveloped.

A fair administration of the GI Bill of Rights would aid immeasurably in improving social and economic conditions for all Southerners.

The past few months have made it plain that the veterans themselves are going to ask for what they feel they are entitled to.

In early January, in Atlanta, Georgia, for example, veterans of the Georgia Veterans League Inc. staged a mammoth civic rally. The discussion, growing out of a whole pattern of police brutality, out of open flagrant violations of civil rights, grew into a march on the Atlanta courthouse to demand the employment of Negro policemen, to help secure law enforcement for the 104,602 Negro population of Atlanta.

In late January, in Birmingham, one hundred Negro veterans of World War II marched in double file through the main streets to the courthouse to register to vote. They were the first mass delegation sponsored during registration period by the Veterans Committee of the Southern Negro Youth Congress.

They massed on the courthouse steps to have their picture taken. Up behind them, on the facade of the building, were the words of Jefferson: "Equal and exact justice to all men of whatever state or persuasion."

One by one, as they filed before the registrars, showing their discharge papers, they were turned down. One veteran, Jessie L. Dennis, wearer of the Bronze Star and the Phillipines liberation ribbon and star, was asked, "What is the government?" When he answered, "The government is the people," he was rejected. The Alabama Constitution, as a prerequisite, requires only the ability to read and write.

That such incidents are not to remain scattered is seen by the call to Negro veterans to gather in Chicago on April 6th to form a national organization.

It is the responsibility of all of us to work to insure a fair return to all veterans for the sacrifices they so bravely made in our war.

The lawless violence of Southern "law enforcement officers" must be halted. A united protest movement must force the prosecution of murderers who have shot down Negroes, some still in uniform.

Instead of a job training program executed on top of the old Southern system, which did not provide for Negroes, the whole system of vocational training in the South must be changed. Our veterans must not be offered only the meanest, worst paid jobs. The federal government must not bow to "local custom" at the expense of the Constitution.

In Columbia, Tennessee, armed violence in mob strength has already swept against the Negro veterans. It is our joint and individual responsibility to insure that what happened in Columbia never be repeated anywhere again.

Equal Justice in Columbia

". . . the doctrine of non-resistance against arbitrary power and oppression is absurd, slavish and destructive of the good and happiness of mankind."
—Constitution of Tennessee, Art. 1, Sec. 2

The Negroes of Columbia were acting in the spirit of the law when they got out their birdguns and squirrelguns on the night of February 25 to stop the mob which was coming after James Stephenson. The mob was out to kill a young Navy veteran who had dared, in defense of his mother, to fight a white man.

They had appealed to the authorities repeatedly to disarm and disperse the mob, but it had not been done. So they did what, as good citizens, they ought to have done. They stopped the mob themselves. The very letter of the Tennessee law says they did right:

"Lawful resistance to the commission of a public offense may be made by the party about to be injured, or by others."
—Code of Tennessee, Sec. 11413.

It took courage for them to set aside the "absurd and slavish doctrine of non-resistance," forced upon them for generations, and take their stand that night as full-fledged American citizens. But the courage was there. Many of them had just come back from proving it on the battlefields of Europe and the Pacific, fighting against "arbitrary power and oppression."

Moreover, they exercised that courage with calm and restraint. Not once did Negroes that night take the offensive. Not once did they venture outside their own territory into that of the whites. All they tried to do was keep the mob out of the Negro section. And in that they succeeded. Several times that night, little groups of whites, advance units of the mob, entered the Negro section. Each time they were peppered with buckshot and driven out. These were the shots which prevented the mass bloodshed and destruction which the mob intended.

The incident which was made the excuse for an armed attack by state police on the Negro community was one which the Negroes could not have foreseen or prevented. One of the armed groups of whites which entered the defended area and was driven out consisted of four city policemen. In the dark and confusion, the defenders could not have known they were officers and could only have taken them for the vanguard of the mob. Even so, they did not shoot to kill with their rifles, but fired only a warning spray of buckshot to drive the invaders back.

It was this clearly guiltless incident that the State Highway Patrol made a pretext for sacking the Negro community. The Patrol, instead of suppressing the mob, took over its functions and finished most of what the mob had tried to do. Under the personal leadership of Lynn Bomar, State Safety Director, the Patrol closed in on the Negro community at dawn.

"That no man shall be taken or imprisoned, . . . or deprived of his life, liberty or property, but by the judgment of his peers or the law of the land."
—Constitution of Tennessee, Art. 1. Sec. 8

As the Patrol moved in, they broke the windows of each building as they came to it and raked the interiors with machine-gun fire. When a building had been captured, they stole what they wanted from it and smashed the rest.

The men who were arrested were beaten with blackjacks, gun-butts, and fists. They were repeatedly challenged to break and run, so they could be shot down.

"That the people shall be secure in their persons, houses, papers, and possessions, from unreasonable searches and seizures . . ."
—Constitution of Tennessee, Art. 1, Sec. 7

One hundred Negro citizens of Columbia were arrested without warrants and held for several days without formal charges. Every Negro home in the city was searched without a warrant and all the firearms found in them confiscated.

"That all prisoners shall be bailable by sufficient sureties, except for capital offenses . . ."
—Constitution of Tennessee, Art. 1, Sec. 15

Not one of the prisoners was suspected of any capital offense. Yet for periods ranging up to eight days in many cases, they were refused the right to make bond for their release.

"That no person arrested and confined in jail shall be treated with unnecessary rigor."
—Constitution of Tennessee, Art. 1, Sec. 13

Yet some of these prisoners were beaten and two of them were shot to death inside the jail. The official story is that one of them seized a gun from a stack of confiscated weapons, loaded it with ammunition from an unexplained source, and fired on a deputy in a mad "attempt to escape". Improbable as this story is, even if it were accepted as gospel truth it could only mitigate, by no means justify, the crime committed by the officers.

The Negroes who fired in lawful self-defense against mob violence (and many who never fired at all) are on trial in Columbia for "assault with intent to commit murder". But the officers who violated the law wholesale were praised by Jim McCord, Governor of Tennessee, and instructed by him to do the same thing again if a similar situation should arise.

The assault on civil rights in Columbia has aroused such nation-wide anxiety and protest that the Attorney-General of the United States has ordered an investigation by the federal grand jury. But he robbed this action of any effectiveness by putting U. S. Attorney Horace Frierson, Columbia resident who is already on record that there were no federal violations, in charge. The conscience of America must not rest on obtaining the investigation. It must demand that the investigation be headed by someone who is willing and unafraid to bring the guilty officers to justice.

This issue of the SOUTHERN PATRIOT, in describing the attack on the civil rights of the Southern people, necessarily tends to give a dark picture. We want to make clear that the forces attacking our constitutional liberties do not represent the people of the South, but the selfish interests of a group rapidly losing its popular support. It is for this reason that they are forced to use the unconstitutional methods described here.

It is our belief, on the contrary, that the Southern people are moving toward progress—that the old device of splitting Negro and white in the interests of the few is losing its effect. That cries of "white supremacy" and name-calling have failed to prevent union organization, and have failed, in case after case, to elect unscrupulous men to political office.

In North Carolina, a white man was recently sentenced to a prison term for attempted assault on a Negro girl. In Georgia, a Southern judge threw out the white primary. Fifty leading Southern editors have condemned the South's voting restrictions. An article by Professor William Carleton of the University of Florida in the current VIRGINIA QUARTERLY REVIEW gives further evidence that the old pattern is being broken—and all these things begin to spell a new day for the common man in the South.

"Eternal Vigilance is the Price of Liberty"

"I was just praying over the Columbia, Tennessee, matter and was planning to write you when the postman arrived. It seems that our minds are in one accord. I am willing to do whatever I can."

* *

"I have just read with great interest your appeal to the Governor and people of Tennessee in regard to the Columbia outbreak. Your straight-forward statement of the congested situation is in itself refreshing in the midst of so much that has been biased prejudice. I wonder if you could send me more information on the Southern Conference for Human Welfare. As publishers of Sunday School literature, we are deeply interested in bringing Christian conscience to bear upon the problems of our day."

* *

"Some of my fellow patients wish to contribute jointly $6 in appreciation of our faith in the Southern Conference. We are greatly concerned over the trouble at Columbia and anxious to see the truth brought to light."

* *

"Congratulations on such prompt and efficient handling of this situation. I especially appreciate getting some accurate information on a thing like this where I know I can't trust the newspaper accounts."

* *

"I am mailing card to Gov. McCord today. You have my best wishes in your endeavor for right. God bless you."

Thus the "eternally vigilant" come to the defense of the Columbia defendants, in the spirit of Thomas Jefferson's call to action. These are some of the answers to the 50,000 letters the Southern Conference has mailed telling the truth about Columbia. Have YOU helped yet to bring about justice in this case—which may decide so much?

— — — — — — — — (CLIP AND MAIL TODAY) — — — — — — — —

Southern Conference for Human Welfare

212½ Union Street, Nashville 3, Tennessee

____ Enclosed is my contribution of $_____ to fight fascism in Columbia.

____ Enclosed is $_____ for _____ pamphlets, THE TRUTH ABOUT COLUMBIA. (1c each, $1 per hundred, $7.50 per thousand)

____ Enclosed is $_____ for _____ postcards to Gov. McCord. (1½c each.)

____ Enclosed is $2 for a year's membership in the S. C. H. W., which includes a year's subscription to the SOUTHERN PATRIOT.

Name_____

Address_____